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Docket No.: 1405.1048

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kazuki MATSUI, et al.

Serial No. 09/955,049

Group Art Unit: 3627

Confirmation No. 8501

Filed: September 19, 2001

Examiner: Joseph A. FISCHETTI

For: INFORMATION PRESENTATION METHOD AND DEVICE

REQUEST FOR WITHDRAWAL OF FINAL STATUS AS PREMATURE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully submit that the current Final Office Action mailed April 17, 2007 ("current Office Action") is incomplete since the Examiner has not responded to all of Applicants arguments traversing the rejections from the previous Office Action mailed October 2, 2006 ("previous Office Action") that were submitted in the previous Amendment filed February 7, 2007 ("previous Amendment"). As set forth in MPEP §707.07(f) entitled Answer All Material Traversed:

an examiner must provide clear explanations of all actions taken by the examiner during prosecution of an application.

In the previous Amendment, Applicants traversed the rejection of claim 2 under 35 U.S.C. §103(a), arguing, in part, there is no motivation to modify Burge et al. (U.S.P. 6,014,638) with teachings of Welsh et al. (U.S.P. 6,757,691). Burge is directed to determining a need and a certain user's needs and preferences, while Welsh et al. (U.S.P. 6,757,691) is directed to predictive behavior for "the ability to categorize(d) groups of users or people who like a certain product for ease in mass marketing (emphasis added)."

Further, Applicants requested the Examiner provide a citation to Burge's asserted "sign-in step" the elimination of which the Examiner relies on as a motivation.

In addition, the Examiner has not addressed this argument and has repeated the

assertion of elimination of a sign-in step as a motivation to modify Burge, but has not addressed Applicants request for a citation to the same.

As set forth in MPEP § 706.07(d):

(I)f, on request by applicant for reconsideration, the primary examiner finds the final rejection to have been premature, he or she should withdraw the finality of the rejection.

Accordingly, Applicants respectfully request that the finality of the current Office Action be withdrawn and another action issued including a complete response and with the due date accordingly reset.

If there are any additional fees associated with filing of this Letter, please charge the same to our Deposit Account No. 19-3935.

If there are any underpayments or overpayments of fees associated with the filing of this, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: June 21, 2007

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